

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 LORAN G. NORTHROP,

8 Plaintiff,

9 v.

10 SAFEWAY INC.,

11 Defendant.

C16-350 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable  
13 Thomas S. Zilly, United States District Judge:

14 (1) Plaintiff's motion in limine, docket no. 69, is GRANTED in part, DENIED  
15 in part, and DEFERRED in part as follows:

16 A. Motion to exclude evidence related to possible "bed bug" infestation  
17 at the group home in which plaintiff resided is DEFERRED to the Pretrial  
18 Conference.

19 B. Motion to exclude evidence about "Jane" (who plaintiff testified was  
20 his girlfriend or wife and died in childbirth when plaintiff was 22 years old) is  
21 DENIED.

22 C. Motion to exclude evidence related to an allegation that plaintiff  
23 engaged in sexual harassment in the fall of 2014 is DENIED.

D. Motion to exclude evidence regarding plaintiff's unrelated litigation is  
GRANTED in part as to litigation involving the Washington State Convention  
Center because the events are too remote and the evidence must be excluded under  
Federal Rule of Evidence 403. This motion is otherwise DENIED.

E. Motion to exclude opinion evidence regarding the character of Brett  
Dow is STRICKEN as moot.

1 F. Motion to exclude evidence regarding plaintiff's disputed diagnosis of  
2 schizophrenia/schizoaffective disorder is DEFERRED to the Pretrial Conference.

3 G. Motion to exclude evidence regarding plaintiff's medical conditions  
4 unrelated to this litigation is DENIED.

5 H. Motion to exclude evidence regarding a 2003 incident involving  
6 plaintiff and a Seattle Center co-worker is GRANTED for the same reasons as  
7 stated in paragraph 1(D), above.

8 (2) Defendant's motion in limine, docket no. 70, is GRANTED in part,  
9 DENIED in part, and DEFERRED in part as follows:

10 A.1. Motion to exclude evidence regarding race or national origin based  
11 animus on the part of Han Li is DENIED.

12 A.2. Motion to exclude Meridith Winterfeld's testimony regarding  
13 disability-based discrimination that she allegedly suffered is DEFERRED to the  
14 Pretrial Conference.

15 A.3. Motion to exclude testimony regarding Brett Dow's placement of  
16 disabled persons in "low level" jobs is (i) DEFERRED to the Pretrial Conference as  
17 to plaintiff's testimony; (ii) DEFERRED to the Pretrial Conference as to  
18 Winterfeld's testimony; and (iii) DENIED as to Dow's testimony.

19 B. Motion to exclude evidence of plaintiff's and co-workers' subjective  
20 beliefs and opinions regarding plaintiff's job performance is GRANTED except as  
21 to plaintiff's supervisors.

22 C. Motion to exclude testimony from witnesses not disclosed in  
23 plaintiff's initial disclosures or responses to discovery is GRANTED in part as to  
Paul K. Pawlowski, M.D. and Ashley R. Sholes, M.D. This motion is otherwise  
DEFERRED to the Pretrial Conference.

(3) The Clerk is directed to send a copy of this Minute Order to all counsel of  
record.

Dated this 17th day of May, 2017.

William M. McCool  
Clerk

s/Karen Dews  
Deputy Clerk